

### REMARKS/ARGUMENTS

Claims 27-29 have been canceled.

Responsive to the arguments in support of patentability of claims 1 and 12 as set forth in the paper filed August 5, 2004, the Examiner has taken the position that these claims do not call for a drain contact at the top surface of the device.

Claim 1 calls for first, second and third metallized layers, which comprise "source, drain and gate electrodes respectively". Claim 1 calls for all metallized layers to be formed on the same surface, namely, the first major surface. In addition, claim 1 calls for a bottom metallized layer extending across "second major surface". It is, therefore, very clear that claim 1 calls for a drain electrode on the same surface as the source electrode. Reconsideration is requested.

Claim 12 also calls for first, second and third metallized layers formed on a "first major surface" of the die. In addition, claim 12 further states that first, second and third metallized layers comprise "source, drain and gate electrodes". It is therefore, clear that claim 12 also calls for the drain electrode and the source electrode, as well as the gate electrode to be on the same surface. Reconsideration is requested.

The application is believed to be in condition for allowance. Such action is earnestly solicited.

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